

1                               BEFORE THE  
2                               ILLINOIS COMMERCE COMMISSION

3           IN THE MATTER OF:                               )  
4           COMMONWEALTH EDISON COMPANY                    )  
5           Application for an amendment to                ) 02-0498  
6           the certificate of public                        )  
7           convenience and necessity issued               )  
8           in Docket 40703, to permit                     )  
9           relocation of an existing                       )  
10          electric transmission line in                    )  
11          Cook County, Illinois                            )

12                               Chicago, Illinois  
13                               May 20, 2003

14                               Met, pursuant to notice.

15          BEFORE:

16               Mr. John Riley, Administrative Law Judge.

17          APPEARANCES:

18               FOLEY & LARDNER by  
19               MR. CHRISTOPHER ZIBART  
20               321 North Clark Street  
21               Chicago, IL 60610  
22               for the petitioner;

             MR. STEVEN G. REVETHIS  
             MR. JOHN C. FEELEY  
             160 North LaSalle Street, Suite C-800  
             Chicago, IL 60602  
             for staff.

             SULLIVAN REPORTING COMPANY, by  
             MICHAEL R. URBANSKI, C.S.R.,  
             License No. 084-003270

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-direct</u>	<u>Re-cross</u>	<u>By Examiner</u>
RONALD DYSLIN	35				
GENE RANSOM	39				
THOMAS KAY	41				
RONALD LINKENBACK	45				
PHIL A. HARDAS	48				

E X H I B I T S  
APPLICANT'S For Identification      In Evidence  
Applicant's

Exhibits 1, 2 and 3 were admitted.....	
44	
Staff	
Exhibit No. 1.0 was admitted.....	
47	
Exhibit No. 2 was admitted.....	
50	

1 JUDGE RILEY: Pursuant to the direction of the  
2 Illinois Commerce Commission, I now call Docket  
3 02-0498.

4 This is a petition -- excuse me, an  
5 application by Commonwealth Edison Company for an  
6 amendment to the certificate of public  
7 convenience and necessity issued in Docket 40703  
8 to permit relocation of an existing electric  
9 transmission line in Cook County, Illinois.

10 Counsel for the petitioner, would you  
11 enter an appearance for the record, please.

12 MR. ZIBART: Christopher Zibart, Foley &  
13 Lardner, 321 North Clark Street, Chicago.

14 JUDGE RILEY: For staff, please.

15 MR. REVETHIS: Steven G. Revethis and John C.  
16 Feely, staff counsel appearing on behalf of the  
17 Illinois Commerce Commission staff, your Honor,  
18 160 North LaSalle, Chicago, Illinois, 60601.

19 JUDGE RILEY: Thank you. I'm going to toss  
20 the ball back to applicant's counsel.

21 Did you want to call your witnesses or  
22 do we have any preliminary matters that you

1       wanted to bring up or deal with?

2           MR. ZIBART:  No, your Honor, we're ready to

3       proceed to the hearing.

4           JUDGE RILEY:  Would you call your first

5       witness then.

6           MR. ZIBART:  First witness is Ron Dyslin.

7           JUDGE RILEY:  Mr. Dyslin.

8                               (Witness sworn.)

9           JUDGE RILEY:  Please proceed.

10                       RONALD DYSLIN,

11       having been called as a witness herein, after

12       having been first duly sworn, was examined and

13       testified as follows:

14                       DIRECT EXAMINATION

15                       BY

16                       MR. ZIBART:

17           Q.  Mr. Dyslin, would you state and spell your

18       name, please.

19           A.  My name is Ronald Dyslin.  Last name

20       D-y-s-l-i-n.

21           Q.  And are you employed by ComEd?

22           A.  Yes, I am.

1           Q.   And what do you do for ComEd?

2           A.   My title is senior real estate  
3   representative.

4           Q.   Mr. Dyslin, has testimony been prepared by  
5   you or under your direction and control for  
6   submission in this docket?

7           A.   Yes, it has.

8           Q.   Showing you now what has been marked for  
9   identification as ComEd Exhibit 1, is that your  
10   written -- your written testimony in this docket?

11          A.   Yes, it is.

12          Q.   And are there any changes you need to make  
13   to your testimony before it's entered into  
14   evidence?

15          A.   No.

16          Q.   So if I were to ask you the questions set  
17   forth in ComEd Exhibit 1, would you give the same  
18   answers today?

19          A.   I would.

20          Q.   Okay.  I now am also showing you what has  
21   been marked as Exhibit B.

22                   Is that a correct copy of Exhibit B to

1 ComEd's petition to which you referred in your  
2 testimony?

3 A. Yes.

4 MR. ZIBART: I have no further questions for  
5 Mr. Dyslin on direct.

6 JUDGE RILEY: What is Exhibit B?

7 MR. ZIBART: Exhibit B is the description in  
8 words of where the relocated segment will go.

9 JUDGE RILEY: That's an attachment to the --

10 MR. ZIBART: Petition.

11 JUDGE RILEY: -- to the petition?

12 MR. ZIBART: Yes, to the petition.

13 JUDGE RILEY: All right.

14 MR. ZIBART: I have a copy of that, Judge.

15 JUDGE RILEY: That's the legal description,  
16 right?

17 MR. ZIBART: Right.

18 JUDGE RILEY: Was that filed on e-docket?

19 MR. ZIBART: It was.

20 JUDGE RILEY: Are we marking that separately  
21 or --

22 MR. ZIBART: I would like to enter it into

1 evidence.

2 JUDGE RILEY: What I'll do is I'll just attach  
3 it to the -- if it's okay, attach it to the  
4 Commonwealth Edison's Exhibit 1.

5 MR. ZIBART: That's fine.

6 JUDGE RILEY: All right.

7 And is there any cross-examination for  
8 Mr. Dyslin?

9 MR. REVETHIS: None at this time, your Honor.  
10 Thank you.

11 JUDGE RILEY: All right. Thank you very much,  
12 Mr. Dyslin.

13 MR. ZIBART: The company's next witness is  
14 Mr. Ransom.

15 (Witness sworn.)

16 JUDGE RILEY: Please continue.

17 GENE RANSOM,  
18 having been called as a witness herein, after  
19 having been first duly sworn, was examined and  
20 testified as follows:  
21  
22

1 DIRECT EXAMINATION

2 BY

3 MR. ZIBART:

4 Q. Would you state and spell your name for  
5 the record, please.

6 A. My name is Gene Ransom. Last name  
7 R-a-n-s-o-m.

8 Q. And, Mr. Ransom, what is your position at  
9 ComEd?

10 A. I am the overhead transmission lines  
11 engineering supervisor.

12 Q. Mr. Ransom, I'm showing you now what's  
13 been previously marked as ComEd Exhibit 2 for  
14 identification.

15 Is it your intention that this serve as  
16 your written direct testimony in this docket?

17 A. Yes.

18 Q. And are there any changes you need to make  
19 to this previously submitted testimony before  
20 it's entered into evidence?

21 A. No, there is not.

22 Q. So if I were to ask you the questions set

1     forth in ComEd Exhibit 2, would you give the same  
2     answers today?

3             A.    Yes, I would.

4             MR. ZIBART:  I have no further questions for  
5     Mr. Ransom on direct.

6             JUDGE RILEY:  Thank you.

7                     And does staff have any  
8     cross-examination?

9             MR. REVETHIS:  No, the staff has no  
10    cross-examination of this witness, your Honor.  
11    Thank you.

12            JUDGE RILEY:  Thank you.  Thank you,  
13    Mr. Ransom.

14            THE WITNESS:  Thank you.

15            MR. ZIBART:  And the company's last witness is  
16    Mr. Kay.

17                             (Witness sworn.)

18            JUDGE RILEY:  Please continue.

19                     THOMAS KAY,  
20    having been called as a witness herein, after  
21    having been first duly sworn, was examined and  
22    testified as follows:

1                   DIRECT EXAMINATION

2                   BY

3                   MR. ZIBART:

4       Q.   Mr. Kay, would you state and spell your

5   name?

6       A.   Thomas Kay.   Last name is K-a-y.

7       Q.   And you are employed by ComEd, sir?

8       A.   Correct.

9       Q.   What's your title?

10      A.   Director of transmission reinforcement

11   planning.

12      Q.   Mr. Kay, has testimony been prepared by

13   you or under your direction and control for

14   submission in this docket?

15      A.   Yes.

16      Q.   I show you what's been marked as ComEd

17   Exhibit 3 for identification.

18                   Is that your written direct testimony in

19   this docket?

20      A.   Yes, it is.

21      Q.   Are there any changes you need to make to

22   your direct testimony before it's entered into

1 evidence?

2 A. No, there are not.

3 Q. So if I were to ask you the questions set  
4 forth in ComEd Exhibit 3, would you give the same  
5 answers today?

6 A. Yes.

7 MR. ZIBART: I have no further questions for  
8 Mr. Kay at this time.

9 JUDGE RILEY: The only questions that I have,  
10 in going back to Mr. Ransom, there were some  
11 other filings of a technical nature.

12 Are these part of the -- one was  
13 identified on e-docket as GCR No. 1.

14 MR. ZIBART: I believe that's an attachment to  
15 Mr. Ransom's testimony and is included in --

16 JUDGE RILEY: It is included as part of the  
17 exhibit?

18 MR. ZIBART: Part of ComEd Exhibit 2. I  
19 believe it's attached to it.

20 JUDGE RILEY: The same thing would be true for  
21 the attachments to Mr. Kay's exhibit.

22 MR. ZIBART: That's correct.

1 JUDGE RILEY: That's with attachments, all  
2 right.

3 And now with regard to Mr. Ransom, we're  
4 going back to Mr. Ransom's testimony.

5 Having cleared that up about the  
6 attachments, were there any questions that staff  
7 would have had regarding cross-examination?

8 MR. REVETHIS: No. Thank you, your Honor.  
9 Thanks for asking.

10 JUDGE RILEY: With regard to Mr. Kay's direct  
11 testimony and any attachments, are there -- is  
12 there any cross-examination from staff?

13 MR. REVETHIS: No, staff has no cross of this  
14 witness. Thank you.

15 JUDGE RILEY: Thank you, Mr. Kay.

16 MR. ZIBART: Your Honor, at this time the  
17 company would move the admission of ComEd Exhibit  
18 1, ComEd Exhibit 2 with the attachments thereto,  
19 and ComEd Exhibit 3 with the attachments thereto.

20 JUDGE RILEY: Any objection to any of the  
21 admission of any of these exhibits from staff?

22 MR. REVETHIS: No objection, your Honor.

1 JUDGE RILEY: All right. Then Commonwealth  
2 Edison --

3 MR. ZIBART: That concludes our case.

4 JUDGE RILEY: Then Commonwealth Edison  
5 Exhibits 1, 2 and 3 are admitted in evidence and  
6 2 and 3 with the attachments.

7 (Whereupon, ComEd  
8 Exhibits 1, 2 and 3 were  
9 admitted into evidence.)

10 JUDGE RILEY: That concludes ComEd's case in  
11 chief?

12 MR. ZIBART: That's right.

13 JUDGE RILEY: Staff, did you want to call your  
14 witness.

15 MR. REVETHIS: Yes, we will at this time, if  
16 it pleases your Honor.

17 First of all, your Honor, we would like  
18 to call Mr. Ronald Linkenback.

19 THE WITNESS: I'm here.

20 JUDGE RILEY: All right.

21 (Witness sworn.)

22 JUDGE RILEY: Please proceed.

1           MR. REVETHIS: Thank you, your Honor.

2                       RONALD LINKENBACK,

3       having been called as a witness herein, after

4       having been first duly sworn, was examined and

5       testified as follows:

6                       DIRECT EXAMINATION

7                       BY

8                       MR. REVETHIS:

9           Q. Sir, would you kindly state your name,  
10       title and business address for the record,  
11       please.

12          A. My name is Ronald Linkenback,  
13       L-i-n-k-e-n-b-a-c-k.

14                       My address is 527 East Capitol,  
15       Springfield, Illinois. My title is senior  
16       engineer in the energy division of the Illinois  
17       Commerce Commission.

18          Q. Okay. Sir, do you have before you a  
19       document which has been previously marked for  
20       purposes of identification as ICC Staff Exhibit  
21       1.0 entitled the direct testimony of Ron  
22       Linkenback engineering department, energy

1 division of the Illinois Commerce Commission  
2 dated March of 2003 consisting of five pages of  
3 narrative testimony, sir?

4 A. Yes, I do.

5 Q. And I ask you, sir, was this testimony, in  
6 fact, prepared by you or under your direction and  
7 control, sir?

8 A. Yes, it was.

9 Q. Do you have any additions or modifications  
10 or corrections you wish to make to this  
11 testimony?

12 A. I do not.

13 Q. Okay. If I were here and now to ask you  
14 exactly the same questions, would you give, in  
15 fact, exactly the same responses as set forth in  
16 this document?

17 A. I would.

18 Q. And is it your intention that this be your  
19 sworn direct testimony in this proceeding, sir?

20 A. Yes.

21 MR. REVETHIS: Your Honor, at this time I ask  
22 that the direct testimony of Ronald Linkenback

1     previously marked for purposes of identification  
2     as ICC Staff Exhibit 1.0 dated March 2003  
3     consisting of five pages of narrative testimony  
4     be entered into the record as evidence.

5           JUDGE RILEY:   Does counsel have any  
6     cross-examination for the witness?

7           MR. ZIBART:    I do not, your Honor.

8           JUDGE RILEY:   All right.   Then Staff  
9     Exhibit 1 -- is there any objection to the  
10    admission?

11          MR. ZIBART:    No.

12          JUDGE RILEY:   Then Staff Exhibit 1 is  
13    admitted.

14                           (Whereupon, Staff  
15                           Exhibit No. 1.0 was admitted  
16                           into evidence.)

17          MR. REVETHIS:   Thank you, your Honor.

18          JUDGE RILEY:   Does that conclude the testimony  
19    of Mr. --

20          MR. REVETHIS:   We have one other witness.

21          JUDGE RILEY:   I understand that, but for  
22    Mr. Linkenback?

1 MR. REVETHIS: Yes, it does.

2 JUDGE RILEY: Mr. Linkenback, thank you.

3 THE WITNESS: You're welcome.

4 MR. FEELEY: At this time staff would call

5 Phil A. Hardas.

6 Mr. Hardas, sir, are you on the line?

7 THE WITNESS: Yes, I am.

8 (Witness sworn.)

9 JUDGE RILEY: Please proceed.

10 PHIL A. HARDAS,

11 having been called as a witness herein, after

12 having been first duly sworn, was examined and

13 testified as follows:

14 DIRECT EXAMINATION

15 BY

16 MR. FEELEY:

17 Q. Could you please state your name for the

18 record and state your business address.

19 A. My name is Phil Hardas, H-a-r-d-a-s. My

20 business address is 527 East Capitol,

21 Springfield, Illinois, 62701.

22 Q. Mr. Hardas, do you have in front of you a

1 document which has been previously marked for  
2 identification as ICC Staff Exhibit 2.0, the  
3 direct testimony of Phil A. Hardas in Docket No.  
4 02-0498?

5 A. Yes.

6 Q. Consisting of four pages of narrative text  
7 and attached Schedule 2.2?

8 A. Yes.

9 Q. Was ICC Staff Exhibit 2.0 prepared by you  
10 or under your direction, supervision and control?

11 A. It was.

12 Q. Do you have any additions, deletions or  
13 modifications to make to ICC Staff Exhibit 2.0  
14 and the attached Schedule 2.1?

15 A. No.

16 Q. If I were to ask you today the same series  
17 of questions set forth in ICC Staff Exhibit 2.0,  
18 would your answers be the same as set forth in  
19 that document?

20 A. Yes.

21 MR. FEELEY: At this time I move to admit into  
22 evidence ICC Staff Exhibit 2.0, the direct

1 testimony of Phil A. Hardas in Docket No.  
2 02-0498.

3 JUDGE RILEY: Thank you. That completes the  
4 direct testimony?

5 MR. FEELEY: Yes.

6 JUDGE RILEY: Okay. Does counsel have any  
7 cross?

8 MR. ZIBART: No, your Honor.

9 JUDGE RILEY: Is there any objection to the  
10 admission of Staff Exhibit 2 into evidence?

11 MR. ZIBART: No.

12 JUDGE RILEY: Then Staff Exhibit 2 is admitted  
13 into evidence.

14 (Whereupon, Staff  
15 Exhibit No. 2 was admitted  
16 into evidence.)

17 MR. REVETHIS: Thank you, your Honor.

18 JUDGE RILEY: Staff have any further  
19 witnesses.

20 MR. REVETHIS: No, sir.

21 MR. FEELEY: No, we do not.

22 JUDGE RILEY: All right. Do the parties have

1     any other issues that need to be raised or dealt  
2     with?

3             MR. ZIBART:   Nothing further your Honor.

4             JUDGE RILEY:   Will the parties prepare a draft  
5     order?

6             MR. ZIBART:   Yes, your Honor.

7             JUDGE RILEY:   Thank you.

8                     If there's no further items on the  
9     agenda, I will direct the court reporter to mark  
10    this matter heard and taken.

11                    Thank you very much.

12                             HEARD AND TAKEN

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